

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

IN RE:)	CHAPTER 7
)	
TORAH TURNAGE, DEBTOR.)	CASE NO. 20-10520-JDW
)	
)	
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TRUIST BANK, SUCCESSOR BY)	MOVANT
MERGER TO SUNTRUST BANK,)	
)	
VS.)	
)	RESPONDENT
TORAH TURNAGE, DEBTOR.)	
)	
)	
)	

**MOTION TO RE-OPEN CHAPTER 7 BANKRUPTCY CASE AND SET ASIDE
DISCHARGE**

COMES NOW Movant, Truist Bank Successor By Merger to SunTrust Bank, for an order Re-opening the Chapter 7 Bankruptcy Case and Setting Aside the Debtor's Discharge, as follows:

1. Movant is the servicer of a loan secured by certain real property in which Debtor has an interest. Said real property is security for a promissory note, and is commonly known as 8065 Campton Lane, Olive Branch, MS 38654 (the "Real Property").

2. Debtor requested a reaffirmation agreement, but Movant did not get the reaffirmation agreement filed before the Debtor received her discharge. The Debtor received her discharge on May 21, 2020 and the case was closed on June 1, 2020. Movant offered the reaffirmation agreement to Debtor prior to the Debtor's discharge, and the original reaffirmation agreement was signed by Debtor on March 10, 2020, which was prior to the discharge. The

parties had a meeting of the minds regarding the reaffirmation agreement prior to the Debtor's discharge.

3. Movant's counsel has corresponded with Debtor's counsel and Debtor's counsel has no opposition to the re-opening of the case and setting aside the discharge for the sole purpose of filing the reaffirmation agreement. Once the reaffirmation agreement has been filed, the Debtor's discharge can be reinstated. The original reaffirmation agreement that was entered into prior to Debtor's discharge is attached to this Motion.

WHEREFORE, Movant respectfully requests that the Court enter an Order Re-opening the Bankruptcy Case and Setting Aside the Debtor's Discharge for the sole purpose of filing the reaffirmation agreement.

Respectfully submitted, this the 17th day of November, 2021.

**TRUIST BANK, SUCCESSOR BY MERGER
TO SUNTRUST BANK**

BY: /s/ Karen A. Maxcy

Karen A. Maxcy
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Attorney for Movant

CERTIFICATE OF SERVICE

I, Karen A. Maxcy, of McCalla Raymer Leibert Pierce, LLC, do hereby certify that on this date, I served a copy of MOTION TO RE-OPEN CHAPTER 7 BANKRUPTCY AND SET ASIDE DISCHARGE filed in this bankruptcy matter on the following parties at the addresses shown, through the Court's ECF/CMF system, and/or via U.S. Mail First Class, postage prepaid and properly addressed, to-wit:

Debtor

Torah Turnage
8065 Camptown Lane
Olive Branch, MS 38654

Debtor's Attorney

Robert Hudson Lomenick, Jr.
P.O. Box 417
Holly Springs, MS 38635

(via ECF/CMF Electronic Notice)

Chapter 7 Trustee

Jeffrey A. Levingston
P.O. Box 1327
Cleveland, MS 38732

(via ECF/CMF Electronic Notice)

U.S. TRUSTEE

U.S. Trustee
501 East Court Street, Suite 6-430
Jackson, MS 39201

(via ECF/CMF Electronic Notice)

CERTIFIED, this the 17th day of November, 2021.

/s/ Karen A. Maxcy
Karen A. Maxcy